From: Daily Journal Editor
To: Hennessy, Vicki (SHF)
Subject: Year in Review
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We published nearly 1,300 attorney-written columns last year, including these articles reviewing changes in 2017.

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Appellate courts issue significant insurance decisions

In 2017, California appellate courts issued several insurance-related decisions. Three are of particular significance.

Kirk A. Pasich, Partner
Pasich LLP

Cryptocurrency actions signal new trend at SEC

The Securities and Exchange Commission's recent initial coin offering enforcement actions signal a new trend in securities enforcement activity that strongly suggests a regulatory solution is needed to address this fast-moving phenomenon.

Ken Herzinger, Partner
Rob Stern, Partner
Jason Somensatto, Of Cousel
Orrick, Herrington & Sutcliffe

Environmental court battles take a backseat

There was no shortage of litigation, but it was climate change and policy shifts and climate change that made the biggest impact.

R. Morgan Gilhuly, Managing Partner
David M. Metres, Associate
Barg Coffin Lewis & Trapp, LLP

What past is prologue for government enforcement in 2018?

While 2017 began with questions about the new administration's enforcement agenda, it ends with many still unanswered questions about the actual priorities driving the government's white collar agenda.

Kimberly A. Dunne, Partner
James M. Perez, Counsel
Waqas A. Akmal, Associate
Sidley Austin LLP

Criminal antitrust enforcement likely to keep pace

Despite these leadership changes, it appears that criminal enforcement of antitrust violations will continue under President Donald Trump to the same extent as enforcement under the Obama administration.

Nell Clement, Senior Associate
James Allison, Associate
Farella Braun + Martel LLP

Cases provide insight into shifting environmental policy

With the appointments of Scott Pruitt (administrator of the Environmental Protection Agency), Ryan Zinke (secretary of the Interior), and Rick Perry (secretary of energy), significant shifts in environmental policy took form.

Davina Pujari, Partner
Sean G. Herman, Associate
Hanson Bridgett LLP

New law is driving down motions

The Legislature enacted of Code of Civil Procedure Section 430.41 in 2016, and earlier this month a new set of changes took effect.

Richard L. Fruin Jr., Judge
Los Angeles County Superior Court

States vs US high court in arbitration tug-of-war

There was a continued push-and-pull between the U.S. Supreme Court and state courts over the FAA.

E. Martin Estrada, Partner
Kuruvilla J. Olasa, Litigation Associate
Munger, Tolles & Olson LLP

Class action litigation in the 9th Circuit

This year was an eventful one in the area of class action litigation, particularly in the 9th U.S. Circuit Court of Appeals.

Neal R. Marder
Andrew S. Jick, Associate
Josh A. Rubin, Associate
Akin Gump Strauss Hauer & Feld LLP

Procedural rules drive class action case law

This past year both plaintiffs and defendants had something to celebrate.

Christopher J. Lovrien, Partner
Jason C. Wright, Associate
Paige Zielinski, Associate
Jones Day

HOW TO PUBLISH A COLUMN IN THE DAILY JOURNAL

Defense strategies shift in Spokeo's wake

It has been more than 18 months since the U.S. Supreme Court issued its decision holding that a bare, technical violation of the Fair Credit Reporting Act is not sufficient to confer Article III standing.

Cary D. Sullivan, Partner
Chris Waidelich, Associate
Jones Day

Property rights hit by high courts

Like a lobster in slowly warming water, only in retrospect does the magnitude of the loss appear.

Basil S. Shiber, Shareholder
Karl E. Geier, Shareholder
Miller Starr Regalia

Attorneys as defendants

Catch up on this year's legal malpractice developments

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Kenneth C. Feldman, Partner
Alex A. Graft, Partner
Lewis Brisbois Bisgaard & Smith LLP

In the Matter of Ethics

The State Bar Court Review Department issued a range of attorney discipline opinions this year. As usual, the most common complaint involved attorneys misappropriating client money.

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Brian Slome, Partner
Lewis Brisbois Bisgaard & Smith LLP

Anti-SLAPP statute turns 25 with a bang

This year saw three decisions by the California Supreme Court regarding the quarter-century-old law. Two decisions are interesting and one significant.

Michael Shipley, Partner
Kirkland & Ellis LLP

Courts provide clearer attorney fees rules

We are seeing a current trend in how attorney fees requests are being handled by federal courts, resulting in more defined rules and structured awards to litigants where claims are brought without a substantial basis.

Mark C. Goodman, Partner
Brandon P. Rainey, Associate
Hogan Lovells US LLP

Supreme Court shook up patent venue in 2017

Earlier this year, the U.S. Supreme Court made clear that venue in patent cases based on where a corporation "resides" is limited to its state of incorporation.

David Lisson, Partner
Serge Voronov, Associate
Davis Polk & Wardwell LLP

Where did all the patent trolls go?

For much of the last several years, the "patent troll problem" dominated trade-publication discussions of patent law. But the hubbub has largely dissipated in 2017. Why?

Christian E. Mammen, Partner
Hogan Lovells US LLP

Patent office issues needed inter partes review guidance

Inter partes review turned five years old this year, and the process has been widely adopted as a complement to patent litigation. Yet not everyone has been pleased.

Benjamin M. Haber, Associate
Irell & Manella LLP

Predictive scheduling laws are spreading

Laws combatting unpredictable scheduling practices may be the next wave of wage and hour regulation.

Gary M. McLaughlin, Partner
Stephanie Priel, Associate
Akin Gump Strauss Hauer & Feld LLP

US-China M&A in the protectionist-in-chief era

During his presidential campaign, Donald Trump made no secret of his belief China

has gotten the better of the United States in recent years.

Kai Wang, Partner
Carlsmith Ball LLP

Trademarks, free speech and cannabis

In 2017, the Supreme Court ruled for the first time that the First Amendment precluded the Patent Office from refusing registration to marks that disparage on the basis of race and, presumably, religion -- among other developments.

Jane Shay Wald, Partner Emeritus
Irell & Manella LLP

Trade secrets and computer fraud claims persist

Headlines across the U.S. regularly reported allegations of theft by tech executives, while computer hacking stories became almost ubiquitous to readers.

Brent Caslin, Partner
Eugene Lim, Associate
Jenner & Block LLP

9th Circuit reversed, again, on habeas review

The U.S. Supreme Court ended the year with yet another 9th U.S. Circuit Court of Appeals reversal. The high court overturned a habeas corpus decision previously rendered by California courts and a federal district court.

Lawrence Waddington, Neutral
JAMS

Litigation finance continued to pick up steam this year

Will we see 50 percent adoption of litigation financing in 2018?

Brett McDonald, Vice President and General Counsel
TheJudge

Anonymity is as fragile as a glass door

New industries often lead to new legal issues, and the anonymous internet review industry represented by Glassdoor and Yelp was no exception in 2017.

Andres Hurwitz, Partner
Debra Garfinkle, Associate
Atkinson, Andelson, Loya, Ruud & Romo

Updates from state agencies

Practical updates from various state agencies -- the attorney general's office, secretary of state's office, and Franchise Tax Board -- that are likely to be of relevance to practitioners who work with nonprofits.

Erin Bradrick, Senior Counsel
NEO Law Group

Important family law decisions wrap up 2017

In the final weeks of 2017, the appellate courts were busy handing down a few important family law decisions; covering military rights vis-a-vis preemption and custody, calculation of date of interest, and a couple's fiduciary duty to one another pre-separation.

Haleh Rashidi
Law Office of Haleh Rashidi

2017 was a watershed year for cannabis regulation

This year we essentially marked the end of 20 years of an unregulated market and unpredictable legal environment for medicinal cannabis.

Joshua Schneiderman, Partner
Snell & Wilmer LLP

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